



COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION MEETING MINUTES

REGULAR MEETING

NOVEMBER 30, 2004

PRESENT: Acevedo, Benich, Escobar, Lyle, Mueller

ABSENT: Engles, Weston

LATE: None

STAFF: Planning Manager (PM) Rowe, Senior Engineer (SE) Creer, Associate Planner (AP) Tolentino, and Minutes Clerk Johnson

Vice-Chair Lyle called the meeting to order at 7:05 p.m., as he led the flag salute.

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Johnson certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Vice-Chair Lyle opened the public hearing.

Vice-Chair Lyle said he wanted to take the opportunity during this time to respond to an article in the local newspaper paper, which had referenced items in the recently passed Measure C. Vice-Chair Lyle expressed dismay at the article, which he said had erroneously reported the members of the Measure C Subcommittee had ignored the need for well placed mixed-use housing. Vice-Chair Lyle said he felt 'bound to uphold the honor of the Subcommittee for Measure C'. "I don't understand how *three distinct provisions* got into it (Measure C), which provided set aside for downtown, as well as other requirements specifically dealing with mixed-use housing", Vice-Chair Lyle declared. Vice-Chair Lyle continued by saying that the City Council had to look at the Measure before it went to voters. "If there was an oversight, then that was made by everyone: the Subcommittee, the City Council, and the voters. That did NOT happen", Vice-Chair Lyle confirmed.

Upon noting there ~~was~~ *were* no members of the public present to address the Commissioners on items not appearing on the agenda, Vice-Chair Lyle closed the opportunity for public comment.

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MINUTES

NOVEMBER 9, 2004 **COMMISSIONERS MUELLER/ESCOBAR MOTIONED TO APPROVE THE NOVEMBER 9, 2004 MINUTES, WITH THE FOLLOWING MODIFICATIONS:**

Page 5, line 4: Insert a period after *cost*. Commissioner Lyle asked why the study done now

Page 5, paragraph 9: expressed concern that, “*Well, and alternative three actually lessens the diversion to Butterfield.*”

THE MOTION CARRIED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: ENGLES, WESTON.

NEW BUSINESS:

1) UP-04-11/VAR-04-01: TENNANT-OLIN CORP A request to approve a conditional use permit to install one perchlorate groundwater extraction and removal system, and approval of a variance to allow a five foot rear setback from the required 20 foot rear setback for the installation of the perchlorate groundwater extraction and removal system. The project site is located at 425 Tennant Avenue in a Light Industrial zoning district.

PM Rowe explained that the Planning Commission is not approving the clean up and restoration of the groundwater, as that matter comes under the purview of the Regional Water Quality Board. PM Rowe indicated that the Commissioners are looking at the applicant's two proposals: Consideration to approve the installation of the groundwater excavation equipment and a perchlorate-removal system, as well as consideration of a variance request for the rear set-back. PM Rowe then provided an overview of the former uses of the site, and an update on the required cleanup and removal of the materials. PM Rowe indicated that a Temporary Use Permit (TUP) had been granted in February, 2003. TUPs are valid for one year, PM Rowe said, so the applicant is asking for an extension, as clean-up is now known to require 3 – 6 years. PM Rowe detailed the findings needed for positive action by the Commissioners. PM Rowe concluded the staff report by advising the Commissioners that the applicant is working with the Regional Water Quality Board, and that once the materials have been removed, the findings - specific to this application – will no longer be an issue.

PM Rowe responded to questions from the Commissioners by explaining the location under discussion and the conditions needed for screening. PM Rowe called attention to the prepared Resolutions and the revision to each, which had been provided at this meeting.

Commissioner Acevedo said that even though he realized that the apparatus has been on the site since February, 2003, he wondered if the neighboring property owners have been notified and inquired of any reactions. Discussion followed regarding the immediate areas around the property and the various uses. PM Rowe again clarified the location. PM Rowe assured that the neighboring property owners had been noticed in accordance with the requirements and there have been ‘no responses to-date’.

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Vice-Chair Lyle opened the public hearing.

Noting no persons present to address the matter, Vice-Chair Lyle closed the public hearing.

Commissioner Mueller asked if it is known whether the process being used for cleanup at the site is 100% effective, as he expressed concern that materials could escape and get to the Butterfield Channel. PM Rowe explained, "While the cleanup might not result in 100% reduction, it would significantly lower the levels to where it would be acceptable for drinking." PM Rowe also detailed the protections for the City which are designed to ensure the Butterfield Channel, as well as the City's water supply. Discussion ensued regarding the amounts of perchlorates permitted in City's water supply.

Commissioner Benich referenced page three of the staff report, asking clarification of the time frames of the project.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 04-94, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE CONTINUED OPERATION OF A GROUNDWATER EXTRACTION AND ION-EXCHANGE PERCHLORATE-REMOVAL SYSTEM AT 425 TENNANT AVENUE IN THE LIGHT INDUSTRIAL ZONING DISTRICT, WITH THE FINDINGS AND CONDITIONS CONTAINED THEREIN AND WITH THE FOLLOWING AMENDMENTS:

~~Section J: ...harmless from and against any and all claims, losses, damages, injuries, injunctive relief which is filed against the City by reason of its approval of applicant's project.~~ any and all claims, suits, causes of action, damages or costs arising from or related to the City's approval of this permit, or the performance (either act or omission) by the Permittee.
(add) Section K Applicant shall remove all equipment and material used for the perchlorate clean-up thirty days after the California Regional Water Quality Control Board approves the final clean-up of the site.

COMMISSIONER BENICH SECONDED THE MOTION, WHICH PASSED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: ENGLES, WESTON.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 04-95, APPROVING A VARIANCE ALLOWING A SIX-FOOT REAR SETBACK FOR THE NORTH PROPERTY LINE FOR A GROUNDWATER EXTRACTION AND ION-EXCHANGE PERCHLORATE-REMOVAL SYSTEM AT 425 TENNANT AVENUE, LOCATED IN THE LIGHT INDUSTRIAL ZONING DISTRICT, WITH THE FINDINGS AND CONDITIONS CONTAINED THEREIN.

THE MOTION WAS SECONDED BY COMMISSIONER BENICH AND PASSED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: ENGLES, WESTON.

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Due to a potential conflict-of-interest, Vice-Chair Lyle was excused at 7:20 p.m. and immediate past Chair Mueller assumed the gavel for the next agenda item.

2) DAA-04-01: TILTON- GLENROCK

A request to amend an approved development agreement covering phase 6 (24 units) of the Capriano project located on the east side of Hale Ave. east of Monterey Rd. and south of Tilton Ave. The requested amendment is to modify the development schedule to allow for additional time to obtain building permits for phase 6 of the project.

PM Rowe presented the staff report, detailing the Applicant's concerns about the Development Agreement and the short time frame contained therein. PM Rowe said that the Applicant has also applied for additional allocations, but because he is not in compliance - through what has been determined to be no fault of his own - those allocations cannot be considered. PM Rowe clarified that the Applicant is asking for a one-year extension and this will require an exception to loss of building permits. PM Rowe explained this item is somewhat unusual, as previously the City Council has said that exceptions will be considered only at a time when the project is closer to losing those allocations.

Commissioner Benich asked whether other extensions had been requested for this project? PM Rowe said no others had been received.

Chair Mueller opened the public hearing.

Rocke Garcia, 1000 Old Quarry Road, San Jose, spoke to Commissioners, and thanking Planning Staff for their work and assistance though 'a long, arduous process' which entailed insurance and other issues which have interfered with positive progress. Mr. Garcia told of making submittals for building permits and explained that he had found himself on the 'tail end of all Measure P submittals, and then we got caught up in Planning/Public Works permit review processes'. Mr. Garcia said there is a 'definite insurance crisis', as he explained details of trying to obtain insurance required. "For a project requiring offsite improvements, a \$750,000 policy to name the City as co-insured would be \$100,000," Mr. Garcia informed. He went on to explain the value of having had City Officials - and giving particular recognition to Finance Director Jack Dills - work together to solve problems and make positive progress. Mr. Garcia said he continues to work with City staff regarding final phases of Capriano project, adding he 'feels we're on a good schedule now'. As to the extension to March 30, 2005, Mr. Garcia said, "We should be OK."

With no others present indicating a wish to speak to the matter, the public hearing was closed.

COMMISSIONER BENICH OFFERED RESOLUTION NO. 04-96, RECOMMENDING APPROVAL OF DEVELOPMENT AGREEMENT AMENDMENT APPLICATION DAA-04-01 FOR APPLICATION MP-02-03: TILTON-GLENROCK, TO ALLOW FOR A SIX-MONTH EXTENSION OF TIME FOR OBTAINING BUILDING PERMITS FOR 24 ALLOCATIONS RECEIVED IN THE 2002 RDACS COMPETITION. COMMISSIONER ESCOBAR SECONDED THE MOTION, WHICH CARRIED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ESCOBAR, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: ENGLER, LYLE, WESTON.

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Vice-Chair Lyle returned to the meeting at 7:29 p.m. and resumed the gavel.

3) ZA-04-18/ SD-04-15/ DA-04-07: MONTEREY- SOUTH COUNTY HOUSING

A request for approval to subdivide an approximate 4.8-acre area; amend the zoning designation from R2 (3,500) and CG, General Commercial to R3/Residential Planned Development (RPD); create a precise development plan; and adopt a development agreement for a 67-unit affordable housing project (55 apartment units plus 12 townhomes). The relocation and modification of an existing motor court is also proposed. The subject site is located between Monterey Road and Del Monte Avenue, north of Wright Avenue.

AP Tolentino reported that there were three applications being considered by the Commissioners at this meeting: a zoning amendment, tentative parcel map, and development agreement. As to the zoning amendment, AP Tolentino clarified that the site is actually currently zoned R-2 (3,500) and CG, General Commercial. AP Tolentino noted an error on the staff report and informed that the Applicant is asking to change the zoning designation of the site to R3, consistent with the existing General Plan land use designation. The applicant is also requesting approval of an RPD overlay district. As part of the RPD, the applicant is asking for deviations to the R3 site development standards, including an increase in height of the buildings, reduction of setbacks and lot sizes, provision of modified setback dwellings, and incorporation of a 'reserve parking' concept on site. The reserve parking concept was explained as limiting the number of parking spaces to be constructed initially and having the reserve spaces developed (temporarily) as open space/park area until the need for additional parking is identified. AP Tolentino noted that the total number of allocations needed for the project has been reduced by two, leaving two available for redistribution to other Measure P projects. In exchange for these deviations, AP Tolentino said, the applicant is proposing that 64 of the 67-unit project will be affordable housing for the City. AP Tolentino further informed that the Development Agreement would formalize all the Measure P commitments to which the Applicant has agreed. AP Tolentino also presented revisions to the prepared resolutions.

Vice-Chair Lyle asked about the two 'leftover/surplus' allotments resulting from the adjustment to the original plan. It was ascertained that there are candidates for those allocations, with PM Rowe explaining that both the Alicante and Mission Ranch projects could be in line for them. Vice-Chair Lyle pointed out that the allocations are for FY 2005-06 ~~and a determination would have to be made as to moving the allotments through the years~~ and recommended that 2 units be moved from some project's 2006/07 allocation to 2005/06, thus freeing up 2 additional allotments to be awarded in the current competition for 2006/07. PM Rowe continued by identifying other projects which might possibly accept allocations, "Mainly the ones in line would be the ones that received partial allocations," he said. "

Commissioners queried staff regarding:

- Landscape maintenance conditions in the standard conditions checklist
- Noticing requirements
- Distance of specific lots from the Del Monte Avenue travel lane

Considerable discussion ensued regarding parking and concerns about the proposal of 'reserved parking'. AP Tolentino said that 135 parking spaces are required and the

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Applicant is requesting that 24 spaces be designated as 'reserved parking'. "When that parking is needed," she said, "then the Applicant will install those spaces." AP Tolentino went on to explain that the concept is not new, but does not exist in Morgan Hill at this time, but the Applicant has instituted such a plan in other cities in the general area. It was stressed repeatedly that those open areas designated as reserved parking areas would remain until it was determined (by the City) that the need for parking existed.

Vice-Chair Lyle asked about having the Applicant put up a bond for development of the additional parking in the future. AP Tolentino responded that she was not aware if such policy had been set in other jurisdictions.

Commissioner Escobar asked what would trigger the need for having those reserved parking spaces developed? AP Tolentino advised that a parking utilization survey would be conducted and the need could therefore be identified.

Vice-Chair Lyle opened the public hearing.

Janet Davis, 183 Del Monte Lane, an area homeowner, told the Commissioners of the concerns regarding Del Monte Lane and Del Monte Avenue in relation to increased traffic and parking. Ms. Davis said she was representing the Homeowners Association (HOA) of the nearby condominium complex as she asked for installation of a stop sign at Del Monte and Wright, citing increased traffic worries. Ms. Davis also indicated concern that overflow parking from the proposed complex will cause visibility issues along Del Monte Avenue for residents of the Del Monte condominiums. "We think there is difficulty with widening Del Monte to 52 feet, and ask that those residents be allowed parallel only on the east side of Del Monte and that the left side of Del Monte continue to be red-lined," Ms. Davis entreated.

Commissioner Mueller asked Ms. Davis about the current parking requirements for the complex where she resides. She responded, that each unit has two covered parking spaces, plus there are 42 undesignated spaces on-site for the 50 units. However, the complex is already short on parking. "The HOA will be addressing the CC&Rs and are going to change parking policy so that more spaces will be open to current owners," Ms. Davis said. She continued, "If parking is allowed on both sides of Del Monte, substantial visibility issues will result; we prefer not to have increased parking on 'our' side," Ms. Davis affirmed.

Jan Lindenthal representing the applicant South County Housing, provided a 'review/overview of where we've been with respect to the project site plan. "We've looked at alternatives of the originally planned park area (where there were concerns of viability), location of parking areas, and the need for architectural tie-ins, and realized that we needed to look at alternatives," Ms. Lindenthal stated. She continued that an earlier plan was considered and discarded as there was a feeling that the loss of two trees and the open space (at the corner of Del Monte and Wright) was not justifiable.

Ms. Lindenthal told of the 'reserved parking' plan being proposed which is now in place at one of South County's facilities in Santa Cruz. She spoke on the parking survey after one year following occupancy. Ms. Lindenthal said that the agency had not been required to bond for future parking improvements in Santa Cruz. She reminded that in

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July (2004) the Commissioners had touched on the issue of having more usable open space as a tradeoff for lessening the parking areas. Discussion ensued regarding the methods of control of parking within a complex. Ms. Lindenthal told of various parking patterns to ensure adequate parking on site for multifamily units, as well as the residents of the town homes and guests to the complex.

Ms. Lindenthal said that a meeting with the neighbors had taken place last evening and another was scheduled for next week. We have mainly heard concerns about parking, noise during construction, the need for a four-way stop at Wright and Del Monte and concerns of the potential for trespass to the condominium complex. Ms. Lindenthal acknowledged the willingness on the part of South County Housing to continue working to find solutions.

Commissioners discussed the following with Ms. Lindenthal and Planning Staff:

- location of parking for all the units
- differences in income levels between Santa Cruz (~~which is lower~~ \$78,200 for a family of 4) and ~~Morgan Hill~~ Santa Clara Counties (Santa Clara: \$106,100 for a family of 4)
- difficulty in regulating offsite parking
- potential for parking out of the complex / infringement on others
- other properties in the City where residents park on public street as spaces are nearby / convenience parking
- 'history being the best teacher' and when surveys are conducted, feed back from neighboring property owners is vital.
- need to include condominium project in traffic/parking studies
- assurance by the Applicant that if the reserved parking needs to be activated, they will asphalt those
- possibility of having the Applicant set aside dollars or putting up bond

Ms. Lindenthal said that South County Housing representatives originally suggested that the number of parking spaces be reduced to 99; however, they are now proposing to install 113 spaces. "We feel this would be reasonable and we could still get the desirable open space," Ms. Lindenthal stated.

David Heindel, Senior Project Manager for South County Housing, 9015 Murray Ave, Suite 100, Gilroy, explained the definite locations planned for the parking and open spaces.

Commissioners then addressed the following with the Applicant and Staff:

- whether the proposal could meet minimum parking requirements of the City (AP Tolentino addressed this issue)
- how guest and resident parking areas are delineated
- how spaces are numbered, etc.
- City requirements
- potential number of residents
- when a parking needs study would be set in motion
- calculations as to the need for parking spaces
- assumptions that residents of the town homes will want to park on Del Monte

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Ms. Lindenthal urged Commissioners to approve the 'reserved parking' plan saying, "It is a 'win-win situation - if it doesn't work, we will pave over; if it works, we'll have more open space in the City."

Charlie Swiontek, 197 Del Monte Lane, asked the Commissioners to consider requirements of having a fence around the corner open space area 'moved back so people don't ~~not~~ hang out but keep the space for the people of that development'. He stressed the need for a stop sign at the Del Monte/Wright intersection to address concerns about increased traffic at the entrance to the site. Mr. Swiontek also spoke on the drainage ditch at the side of Del Monte Lane and the need for posting of that hazard as he advocated for continued designation of a red zone on the west side of the street as now exist.

Jack Buettner, 209 Del Monte Lane, said he shares his neighbors' concerns of parking, traffic, and safety on the roads of Del Monte Lane and Del Monte Avenue.

With no others attending the meeting indicating a wish to speak to the matter, the public hearing was closed.

SE Creer was asked to address several issues to which he responded:

- the general plan classification for Del Monte indicates it is to be built to a collector standard (52 feet curb to curb)
- on-street parking typically is not restricted but at sites where there is a volume of traffic or visibility issues exist, parking restriction of 20-feet either side of a driveway may be imposed
- as to the stop sign issue, installation is not warranted at the present time and Public Works does not anticipate a need in the foreseeable future [SE Creer clarified the guidelines of the State regarding stop signs; and how a need for a stop sign is determined on published criteria which must be met]
- general traffic patterns in area
- difficulty of planning turn lanes to the project area *from Monterey*

Commissioners discussed with SE Creer:

- am and pm traffic patterns
- effects of having school traffic added in to the mix
- possibility of a traffic study and a parking study conducted simultaneously (SE Creer said this will most likely be known, as Public Works will be looking at traffic as progress is made on the development and after the residents move in.)

General discussion developed about growth in the area and how it affects traffic increase in the area

Vice-Chair Lyle said he had concerns with respect to the 'reserved parking', and whether the reduced parking would result in residents driving up and down long narrow corridors looking for a parking spot.

Commissioner Acevedo expressed the thought that probably the Commissioners should 'hold to the current parking standard' and require parking space build out. "There always appears to be parking shortages especially in the evening when all are at home," he said. Commissioner Acevedo also said it might be misleading to potential residents

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who would think that the complex contains open space but that open space will turn into parking 'so it would be better to put it in now'.

Commissioner Benich said he thought the Applicant has presented very original ideas and said he was 'torn between more green space and balanced parking' as he echoed what Commissioner Acevedo had said. "I'm bothered about the shortage of parking space and think it would be best to keep the 24 spaces in now," Commissioner Benich said.

Commissioner Escobar urged serious consideration of the 'reserved parking' which has been tried successfully in other areas. "I think it's reasonable to do it here," Commissioner Escobar said. He also said that the possibility of conversion of the open space to parking must be discussed up front with (potential) residents. "I have found South County willing to facilitate new ideas and work things out. I think it's worth taking the risk. We will know within six months if it works," Commissioner Escobar proclaimed. "It's worth serious consideration and I want the experiment to 'go ahead'."

Vice-Chair Lyle said his concern centers on the residents hunting for spaces on a very narrow drive aisle. He wondered if it would be possible to have other numbers considered for the 'reserved parking', suggesting having six spaces installed, leaving 18 reserved spaces, which would be closer to Code 8 requirements. Commissioner Escobar agreed that plan might be plausible.

Commissioner Mueller told those present that he was 'very concerned about parking'. "I think the townhomes are completely under-parked and that on street parking will be consumed by those people living in the townhomes and then the resultant traffic pattern will be big issue. Nor do I think handicapped spaces were addressed," Commissioner Mueller said. (It was determined that the 113 parking spaces include handicapped parking area.) "On the other hand," Commissioner Mueller continued, "I don't want extra paving." He said that he could see having 18 spaces in the big parking lot designated as reserve parking, but not the smaller lot with six spaces. Commissioner Mueller declared that all who move into the complex must be required to sign an agreement/acknowledgement of understanding that the open space may be paved. "I also think there is definitely a need for a parking study during the school year after the project is fully occupied," he said.

VICE-CHAIR LYLE DETERMINED BY PRIMARY CONSENSUS OF THE COMMISSIONERS PRESENT WITH ENGLER AND WESTON ABSENT) THAT THE COMMISSIONERS WOULD FAVOR A 'MIDDLE POSITION ON PARKING AND INSTEAD OF 24 RESERVED SPACES, 18 WOULD BE ACCEPTABLE. COMMISSIONER ACEVEDO DID NOT AGREE.

Commissioner Escobar strongly advocated for 18 reserved spaces and leaving six in place. "It's true that giving up six for 18 is a very good plan at this time," Commissioner Escobar reminded that there should be a study to make determination of parking need and that the City could 'call in the parking if needed'.

Commissioners expressed alarm with the proposed lot size reductions and the reduced set backs.

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Discussion then turned to:

- parking on the street,
- road configuration changes due to widening
- various methods to be considered to harness traffic
- establishment of roadway/travel lanes
- starting with 20-foot restricted parking at driveway entrance at the condominiums
- potential need for additional restricted parking at driveway entrance at the condominiums to enhance visibility
- comparisons of other projects in the City

There was dialogue of setbacks by Staff and the Commissioners.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 04-97 (REVISED AS PRESENTED), RECOMMENDING APPROVAL TO AMEND THE ZONING DESIGNATION OF A 4.8-ACRE AREA FROM R2(3,500) AND CG, GENERAL COMMERCIAL TO R3/RESIDENTIAL PLANNED DEVELOPMENT (RPD) AND TO ADOPT A PRECISE DEVELOPMENT PLAN FOR A 67-UNIT MULTI-FAMILY PROJECT LOCATED BETWEEN MONTEREY ROAD AND DEL MONTE AVENUE, NORTH OF WRIGHT AVENUE, INCLUSIVE OF THE CONDITIONS THEREIN CONTAINED WITH THE FOLLOWING MODIFICATIONS:

Section 8: 24 18 ‘reserve parking’

Section 9: ...full occupancy (add) *during the school year*

... 24 18 ‘reserve parking’

Section 10:...parking-related incidences *and consult with adjacent neighborhoods to identify potential parking impacts on their neighborhoods.*

Section 11 24 18 ‘reserve parking’

COMMISSIONER ESCOBAR PROVIDED THE SECOND TO THE MOTION WHICH CARRIED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: ENGLES, WESTON.

Subsequently, discussion continued with the following action:

COMMISSIONER MUELLER MOVED INSERTION OF SECTION 14 to RESOLUTION NO. 04-97: SO LONG AS THERE IS ‘RESERVED PARKING’ ON ROYAL COURT’ PROSPECTIVE RESIDENTS MUST BE PROVIDED WITH FORMAL DISCLOSURE THAT THE ‘RESERVED PARKING’ MAY BE MADE ACTIVE. HAVING MADE THE SECOND, COMMISSIONER ESCOBAR TO THE INSERTION AND THE MOTION WAS PASSED WITH THE AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; ENGLES AND WESTON WERE ABSENT.

Brief discussion was had as to striping of the street (Del Monte) on widening.

PM Rowe clarified the wishes of the Commissioners regarding the parking study.

For Resolution No. 04-98, AP Tolentino clarified that the language in XXIII number 4 is correct as to Measure P since the allocations were obtained under that Measure.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 04-98 (REVISED AS PRESENTED), APPROVING THE TENTATIVE PARCEL MAP, AND NOTING THAT IN STANDARD CONDITIONS (SECTION XXIII) ITEM 21 IS

ADDED AS FOLLOWS:

Concerns of the neighboring HOA/property owners regarding the evaluation of continued red-line for Westside Del Monte Lane, enhanced roadway striping, and an assessment of the left turn on Monterey Street will be conducted by the Department of Public Works.

COMMISSIONER ESCOBAR SECONDED THE MOTION WHICH CARRIED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: ENGLES, WESTON.

COMMISSIONER MUELLER OFFERED RESOLUTION NO. 04-99, (REVISED AS PRESENTED) RECOMMENDING APPROVAL OF DEVELOPMENT AGREEMENT APPLICATION DA-04-07: MONTEREY – SOUTH COUNTY HOUSING FOR APPLICATION MP-04-02: MONTEREY – SOUTH COUNTY HOUSING WITH NOTATION THAT TWO ALLOCATIONS ARE VOLUNTARILY BEING RELINQUISHED BY THE APPLICANT (AND THOSE TWO ALLOCATIONS WILL NOW BE MADE AVAILABLE TO OTHER PROJECTS).

ANNOUNCEMENTS:

COMMISSIONER ESCOBAR SECONDED THE MOTION WHICH WAS PASSED WITH THE FOLLOWING VOTE: AYES: ACEVEDO, BENICH, ESCOBAR, LYLE, MUELLER; NOES: NONE; ABSTAIN: NONE; ABSENT: ENGLES, WESTON.

PM Rowe reported that at the recent City Council meeting no items referred by the Commissioners were agendaized. However, five appeals to Planning Officer determinations that their requests for the upcoming Measure C competition for allocations were ineligible for consideration. PM Rowe said that with each of the five requests, the City Council allowed modifications, then explained how the modifications work, as well as the possible effects/results of Staff scoring. The revisions will be before the Commissioners at an upcoming meeting.

Commissioner Benich said he has concerns about the status of the required punch list as a condition of the Use Permit for Safeway on Tennant Ave., requesting a status report at the next meeting. PM Rowe explained that the signs are not in the correct locations and thus the landscaping plan is being held up. The applicant is to work with Building and Public Works to come up with a plan which can be finalized.

Commissioner Acevedo mentioned concerns at Nordstrom School, where soccer is played on the fields on weekends, but the parking lot is locked, resulting in the public parking along Dunne Ave. and Murphy. Brief discussion ensued as to recreation facilities and parking for the various events. PM Rowe volunteered to meet with the Schools' Director of Facilities.

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ADJOURNMENT:

Having determined that there was no further business to be addressed by the Commissioners, Vice-Chair Lyle adjourned the meeting at 9:09 pm.

MINUTES RECORDED AND PREPARED BY:

JUDI H. JOHNSON, Minutes Clerk